

REMARKS

Reconsideration and allowance of this application are respectfully requested.

Claims 1-38 remain pending. By this communication, claims 1, 5, 13, 19, and 31 are amended.

Rejections Under 35 U.S.C. § 102

Claims 1-5, 9, 11, 13, 17, 19-24, 28, 30, 31, 35, 37 and 38 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by Yamada et al. (U.S. Patent Pub. No. 2003/0161530). Applicants respectfully traverse this rejection. Each of independent claims 1 and 19 recite, among other features, determining a saturation enhancement function used to enhance a saturation of an input image according to a saturation enhancement function determining variable based on one of an average saturation of the input image and the preferred saturation enhancement value, and generating an output image based upon the synthesized components by maintaining a hue and likeness of the input image and preventing saturation clipping based on the saturation enhancement function determining variable.

As discussed in Applicants' disclosure (page 12, lines 24-28), the saturation enhancement function determining variable is a factor for determining an amount of saturation enhancement achieved as a result of the saturation output. The combined features recited in Applicants' claim make it possible to represent an input image that has an optimum saturation while also preventing saturation clipping and maintaining the hue and likeness of the image. In addition, these features prevent low-saturation regions from being excessively saturation-enhanced by taking advantage of characteristics of a saturation enhancement function. See Applicants' disclosure page 10, lines 5-14.

Contrary to the position taken by the Patent Office, the Yamada patent fails to anticipate Applicants' claim because it does not teach every element recited therein. For example, the Yamada patent fails to disclose the use of a saturation enhancement function determining variable or a saturation enhancement function that achieves the aforementioned advantages.

As previously discussed, the Yamada publication discloses a saturation conversion process in which the saturation value of an input image is stored in an image buffer, and a saturation conversion parameter is determined based on the saturation information of the image and a user instruction. The saturation value stored in the image buffer is converted based on the saturation conversion parameter. (See Yamada, paragraph 0037). These steps arguably enable one of ordinary skill to obtain an image with appropriate saturation by compensating saturation for a less saturated area in an image, and suppressing saturation for an over saturated area (see *Id.*, paragraph 2).

The distinctions between Applicants' claims and the Yamada publication are further evidenced through the generation of the output image. As noted above, Applicants' claims recite generating an output image based upon the synthesized components by maintaining a hue and likeness of the input image and preventing saturation clipping based on the saturation enhancement function determining variable. The Yamada publication makes no mention of and fails to suggest any features that can be reasonably related to preventing saturation clipping or maintaining a hue and likeness of an input image. At best, the Yamada publication discloses compensating saturation for a less saturated area in an image, and suppressing saturation for an over saturated area. For these reasons, a *prima facie*

case of anticipation has not been established, and withdrawal of this rejection is respectfully requested.

Allowable Subject Matter

Applicants acknowledge with appreciation the Examiner's indication that claims 6-8, 10, 14-16, 18, 25-27, 29, 32-34, and 36 contain allowable subject matter.

Conclusion

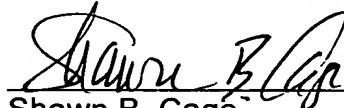
Based on at least the foregoing amendments and remarks, Applicants submit that claims 1-38 are allowable, and this application is in condition for allowance. Accordingly, Applicants request a favorable examination and consideration of the instant application. In the event the instant application can be placed in even better form, Applicants request that the undersigned attorney be contacted at the number below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 14, 2008

By:



Shawn B. Cage
Registration No. 51522

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620